

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**CHACE FRAZIER AND MISTY  
PEIKOFF,**

**Plaintiffs,**

**v.**

**JPNS PROPERTIES, LLC AND KM  
HOLDINGS GRANBURY, LLC,**

**Defendants.**

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**Civil Action No. 4:23-cv-00761-O**

**ORDER**

On August 31, 2023, the Court issued its Meet and Confer Order Requiring Scheduling Conference and Report for Contents of Scheduling Order; this Order required a Joint Report to be filed by the parties. *See* Meet and Confer Order, ECF No. 10. Paragraph 12 of Section II of this Order asked the parties to submit a proposed trial date, the *estimated number of days required for trial*, and *whether the parties demand a jury*. *Id.* at § II, ¶ 12.

On September 28, 2023, the parties filed a Joint Status Report in response to the aforementioned Order. *See* Joint Rule 26 Report, ECF No. 11. The parties provided a proposed trial date. However, they provided neither an estimated number of days required for trial, nor a demand or waiver of a jury trial. *Id.* at ¶ 12. This is a deficient filing. Because the parties' response does not address how long they will likely need to try this case or whether a jury will be required to try this case, the Court cannot create a scheduling order centered around the potential trial of this case until the parties address these matters in full.

Accordingly, the parties are hereby **ORDERED** to file an amended joint status report or an amendment to the joint status report **on or before October 10, 2023**. The parties are

reminded that upon failure to comply with a court order, the Court may *sua sponte* dismiss the action or claim pursuant to the Federal Rules of Civil Procedure and the Court's "inherent power to control its docket and prevent undue delays in the disposition of pending cases." FED. R. CIV. P. 41(b); *Boudwin v. Graystone Ins. Co., Ltd.*, 756 F.2d 399, 401 (5th Cir. 1985).

**SO ORDERED** on this **5th day of October, 2023**.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE